
IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

KELLY S. McENTIRE,
Plaintiff,

vs.

FEDERATED INVESTMENT
MANAGEMENT et al.,
Defendants.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 1:06-cv-00133

Before the court is the Report and Recommendation issued by United States Magistrate Judge Samuel Alba on April 20, 2007, recommending that plaintiff Kelly McEntire's complaint be dismissed for failure to comply with Judge Alba's order to file an amended complaint setting forth his federal claims, the facts for each claim, and the parties to the action.

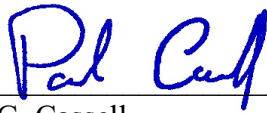
Mr. McEntire has been properly notified of his right to object to the Report and Recommendation and that he must file any objections with the clerk of the court within ten days after receiving the report, pursuant to 28 U.S.C. § 636(b). As of the date of this order, the court has not received any objections from Mr. McEntire. On May 2, 2007, Mr. McEntire mailed a letter to the court entitled "Additional Criminal Defendants in Appeal," but the letter cannot be interpreted as disputing Judge Alba's findings and it does not fulfill the mandates of Judge

Alba's order. In other words, even when read generously, it is nonresponsive to the issues at hand and cannot be characterized as an objection or as an amended complaint.

Therefore, having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the court ADOPTS the Report and Recommendation and dismisses the plaintiff's complaint. Accordingly, this case is DISMISSED in its entirety. The clerk of the court is directed to close the case.

DATED this 8th day of May, 2007.

BY THE COURT:



Paul G. Cassell
United States District Judge